

CERTIFICATION OF EMERGENCY RULES
FILED WITH LEGISLATIVE REFERENCE SERVICE
JERRY L. BASSETT, DIRECTOR

Pursuant to Code of Alabama 1975, §§41-22-5(b) and
41-22-6(c) (2)a. and b.

I certify that the attached emergency (amendment, new rule, new
chapter, repeal or adoption by reference) is a correct copy as
promulgated and adopted on the 11th day of January, 2016.

AGENCY NAME: Secretary of State

RULE NO. AND TITLE: 820-2-2-.18-02ER Electronic Voter
Registration

EFFECTIVE DATE OF RULE: January 11, 2016

EXPIRATION DATE (If less than 120
days): _____

NATURE OF EMERGENCY: This emergency rule is necessary to comply
With the National Voter Registration Act of 1993 and the
Memorandum of Understanding with the United States of America.

STATUTORY AUTHORITY: Code of Alabama 1975, section 17-4-63;
Code of Alabama 1975, sections 8-1A-1 et seq. See also Attorney
General's Opinion No. 2009-084.

SUBJECT OF RULE TO BE ADOPTED ON PERMANENT BASIS X YES ____ NO

NAME, ADDRESS, AND TELEPHONE NUMBER OF PERSON TO CONTACT FOR
COPY OF RULE:

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REC'D & FILED

JAN 11 2016

LEGISLATIVE REF SERVICE



John H. Merrill
Secretary of State

FILING DATE (For APA Use Only)

820-2-2-.18-02ER Electronic Voter Registration.

(a) Pursuant to the Uniform Electronic Transactions Act, codified at Code of Alabama 1975, sections 8-1A-1 et seq., the Secretary of State and voter registration agencies may develop and implement electronic voter registration. All electronic voter registration forms developed and implemented under this paragraph are subject to review by, and the approval of, the Secretary of State.

(b) As required by Rule 820-2-2-.05, the Secretary of State shall prescribe all voter registration forms to be used in voter registration activities provided for in Code of Alabama 1975, section 17-4-60, paragraphs (b), (c), (d), and (f).

(c) The county boards of registrars shall accept and process electronic voter registration forms through the electronic system developed pursuant to paragraph (2), supra.

(d) The data collected through the electronic voter registration process shall be subject to all of the same protections as paper-based voter registration applications as provided for in Code of Alabama 1975, section 17-3-52 and any applicable regulations.

(e) If the electronic voter registration form originates from an electronic voter registration process developed by a voter registration agency, said agency shall maintain the electronic signature of the voter registration applicant. Said signature shall be made available for law enforcement and/or forensic purposes.

Authors: Edward Packard, Jean Brown, R. Joel Laird, Jr.

Statutory Authority: Code of Ala. 1975, §17-4-63; Code of Alabama 1975, section 8-1A-1 et seq. Attorney General's Opinion No. 2009-084.

History: Emergency Rule: Filed January 11, 2016.